

REMARKS

This is in response to the Office Action mailed on March 3, 2004, and the references cited therewith.

Claims 2, 3, 5, 8, 9, 11, 12, 15-17, 24, and 27-29 are amended; and claims 1, 4, 22, and 23 are canceled without prejudice or disclaimer. Claims 2-3, 5-17, and 24-29 are pending in this application.

Information Disclosure Statement

In the Office Action, Examiner Evanisko indicated the lined through documents submitted with the Information Disclosure Statement, filed on December 18, 2001, would not be considered because the lined through references were not cited or provided in the parent case. Applicant believes that those references were cited and considered in the parent case as evidenced by copies of the initialed 1449 forms (enclosed). However, Applicant respectfully resubmits copies of the lined though documents (along with an additional new document) herewith and further requests that a copy of the 1449 Form, initialed as having been considered by the Examiner, be returned to Applicants' Representative with the next Official communication.

§112 Rejection of the Claims

Claims 16 and 17 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended the claims as suggested by the Examiner. Reconsideration and allowance is respectfully requested.

§102 Rejection of the Claims

Claims 22 and 29 were rejected under 35 USC § 102(b) as being anticipated by Brownlee (U.S. Patent No. 5,127,403).

Claims 22 and 29 were rejected under 35 USC § 102(b) as being anticipated by Hirschberg (U.S. Patent No. 5,476,499).

Applicant has canceled claim 22 without prejudice or disclaimer. Claim 29 has been amended to depend from allowable claim 24.

§103 Rejection of the Claims

Claims 1-4, 8, 11, 23 and 27 were rejected under 35 USC § 103(a) as being unpatentable over Brownlee (U.S. Patent No. 5,127,403) or Hirschberg (U.S. Patent No. 5,476,499).

Applicant has canceled claims 1, 4, and 23 without prejudice or disclaimer. Claims 2, 3, 8, and 27 have been amended to depend from allowable claims 5 and 24, respectively.

Moreover, Applicant does not admit to and reserves the right to traverse the characterizations regarding the cited references and the suggestions to modify the references on page 4 of the Office Action. Applicant notes that the Office Action took Official Notice of some elements of the claims. Applicant reserves the right to traverse the Official Notice under M.P.E.P. § 2144.03.

Allowable Subject Matter

Claims 5, 6, 7 and 24-26 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 5 and 24 have been rewritten in independent form, with claims 6, 7, 25, and 26 dependent from claims 5 and 24, respectively.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 359-3267 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

QINGSHENG ZHU ET AL.

By their Representatives,

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Date 6/3/04

By Peter C. Maki

Peter C. Maki
Reg. No. 42,832

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, MS: Amendment, P.O. Box 1450, Alexandria, VA 22313-1450 on this 3 day of June, 2004.

Name Paula Suchy

Signature Paula Suchy

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Sheet 1 of 1

Form 1449*	Atty. Docket No.: 279.132US1	Serial No. 09/406,207
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Applicant: Qingsheng Zhu et al.	
	Filing Date: September 24, 1999	Group: 3762

U. S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
JB	4,156,429	05/29/1979	Amundson, D.C.	428	419	10/11/77

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation Yes No

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

**Examiner Initial	Date Considered
JB	6/12/11

Examiner <i>John Bird</i>	Date Considered <i>6/12/11</i>
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*Substitute Disclosure Statement Form (PTO-1449)

**EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet 1 of 2

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**
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Atty. Docket No.: 279.132US1

Serial No. 09/406,207

Applicant: Qingsheng Zhu et al.

Filing Date: September 24, 1999

Group: 3737

U. S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
JB	3,804,098	04/16/1974	Friedman, H.G.	128	404	04/17/72
	3,825,015	07/23/1974	Berkovits, B.V.	128	404	12/14/72
	4,030,508	06/21/1977	Thalen, H.	128	418	02/04/76
	4,393,883	07/19/1983	Smyth, N., et al.	128	785	11/03/80
	4,444,195	04/24/1984	Gold, P.	128	642	11/02/81
	4,559,951	12/24/1985	Dahl, R.W., et al.	128	642	11/29/82
	4,633,880	01/06/1987	Osypka, P., et al.	128	642	04/04/85
	4,649,937	03/17/1987	DeHaan, A., et al.	128	784	01/28/85
	4,679,572	07/14/1987	Baker, Jr., R.G.	128	786	03/11/86
	4,784,161	11/15/1988	Skalsky, M., et al.	128	785	11/24/86
	4,819,661	04/11/1989	Heil, Jr., R.W., et al.	128	786	10/26/87
	4,819,662	04/11/1989	Heil, Jr., R.W., et al.	128	786	10/26/87
	5,016,646	05/21/1991	Gotthardt, G., et al.	128	784	07/24/89
	5,063,932	11/12/1991	Dahl, R.W., et al.	128	639	10/03/89
	5,172,694	12/22/1992	Flammang, D., et al.	128	642	05/30/91
	5,230,337	07/27/1993	Dahl, R.W., et al.	607	5	07/14/92
	5,265,601	11/30/1993	Mehra, R.	607	9	05/01/92
	5,324,327	06/28/1994	Cohen, D.M.	607	122	12/17/91
	5,342,407	08/30/1994	Dahl, R.W., et al.	607	129	07/13/92
	5,360,442	11/01/1994	Dahl, R.W., et al.	607	129	01/04/93
	5,405,373	04/11/1995	Pettersson, M., et al.	607	124	02/07/94
	5,411,544	05/02/1995	Mar, C.E., et al.	607	122	11/02/93
	5,545,202	08/13/1996	Dahl, R.W., et al.	607	129	08/04/94
	5,545,205	08/13/1996	Schulte, T.J., et al.	607	123	02/09/95
	5,554,178	09/10/1996	Dahl, R.W., et al.	607	122	04/26/95

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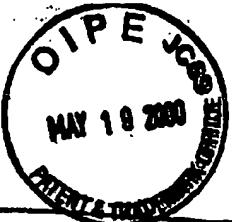
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U. S. PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
JB	5,578,068	11/26/1996	Laske, T.G., et al.	607	126	05/08/95
	5,603,732	02/18/1997	Dahl, R.W., et al.	607	129	11/06/95
	5,755,764	05/26/1998	Schroeppe, E.A.	607	122	09/10/96
	5,769,881	06/23/1998	Schroeppe, E.A., et al.	607	123	05/22/97
JB	5,871,529	02/01/1999	Bartig, J.T., et al.	607	122	01/16/97

FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
JB	0057877	08/18/1982	European	607	121	
	0573275	12/08/1993	European			
	0612538	08/31/1994	European	A61N	17/05	
	0620024	10/19/1994	European			
JB	2240721	08/14/1991	Great Britain			(Abstract included) <i>only</i>
	2827393	05/23/1978	Germany			(Abstract included) <i>only</i>

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, etc.)

JB	Brownlee, R.R., "Toward Optimizing the Detection of Atrial Depolarization with Floating Bipolar Electrodes", PACE, Vol. 12, pp. 431-442, (March 1989)
JB	Hughes, H.C., et al., "Simultaneous Atrial and Ventricular Electrogram Transmission Via a Specialized Single Lead System", PACE, Vol. 7, Part II, pp. 1195-1201, (November-December 19)
JB	Tarjan, P., et al., "Optimal Electrode Positions for the Bipolar Atrial Pair on a Single-Pass Atrio-Ventricular Permanent Pacing Lead", PACE, Vol. 10, Abstract 114, p. 434, (March-April 1987)

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<i>JB</i>	3,572,344	03/23/1971	Bolduc, L.R.	128	418	12/31/68
	3,788,329	01/29/1974	Friedman, H.G.	128	418	04/17/72
	4,592,372	06/03/1986	Beranek, W.J.	128	786	05/22/84
<i>DM</i>	5,354,327	10/11/1994	Smits, K.F.	607	116	04/07/93

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Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation Yes No
<i>JB</i>	0916363	05/19/1999	European	A61N	1/05	
<i>JB</i>	91/19533	06/11/1991	PCT	A61N	1/05	

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OTHER DOCUMENTS
(Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner Initial	Ellenbogen, K.A., et al., "Steroid eluting high impedance pacing leads decrease short and long term current drain: results from a multicenter clinical trial", PACE - Pacing and Clinical Electrophysiology, Vol. 22, No. 1 Part I, XP000803901, 39-48, (Jan. 1999)
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U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

**Examiner Initial	Document Number	Date	Country	Class	Subclass	Translations Yes No

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

JB

Hirschberg, J., et al., "A New Dual Chamber Single Lead System", PACE, Vol. 17, No. 11, Part II, Armonk, New York, pp. 1870-1872 (November 1994).

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*Substitute Disclosure Statement Form (PTO-1648)

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